

E-filed 3/26/08

1 Lee H. Rubin (SBN 141331)
lrubin@mayerbrown.com
2 Rena Chng (SBN 209665)
rchng@mayerbrown.com
3 Aengus H. Carr (SBN240953)
acarr@mayerbrown.com
4 Mayer Brown LLP
Two Palo Alto Square, Suite 300
5 3000 El Camino Real
Palo Alto, CA 94306-2112
6 Telephone: (650) 331-2000
Facsimile: (650) 331-2060
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Attorneys for Plaintiffs
8 RITA BALDWIN; and J.C., by and through
his Guardian Ad Litem, RITA BALDWIN
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10 **UNITED STATES DISTRICT COURT**
11 **NORTHERN DISTRICT**
12 **SAN JOSE DIVISION**

13 RITA BALDWIN; and J.C., by and through his
14 Guardian Ad Litem, RITA BALDWIN,

15 Plaintiffs,

16 v.

17 CHARLES DANGERFIELD; JASON LARA;
18 JOHN JEFFERSON; MIKE NELSEN; and
DOES 1-25, inclusive,

19 Defendants.
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Case No. CV-06-2467 JF (HRL)

**STIPULATED REQUEST TO
CONTINUE FURTHER CASE
MANAGEMENT CONFERENCE/
TRIAL SETTING;
[PROPOSED] ORDER**

1 Pursuant to Local Rule 6-2, Plaintiffs Rita Baldwin and J.C., by and through his guardian
2 ad litem Rita Baldwin, and Defendants Charles Dangerfield, Jason Lara, John Jefferson, and
3 Mike Nelsen, by and through their respective counsel of record, stipulate and agree as follows:

4 WHEREAS, the Court heard oral argument on the parties' cross-motions for summary
5 judgment on February 22, 2008;

6 WHEREAS, at the conclusion of the summary judgment hearing, the Court set a Further
7 Case Management Conference/Trial Setting ("Further Conference") for April 11, 2008 at 10:30
8 a.m.;

9 WHEREAS, there have been no developments in this action since the February 22, 2008
10 hearing;

11 WHEREAS, the Court has not yet ruled on the parties' cross-motions for summary
12 judgment;

13 WHEREAS, the parties have met and conferred and agree to continue the Further
14 Conference until two weeks after the Court issues its decision on the summary judgment
15 motions;

16 THEREFORE, it is hereby stipulated and agreed by Plaintiffs and Defendants, through
17 their respective counsel of record, as follows:

18 (1) That the April 11, 2008 Further Conference be continued until two weeks after the
19 Court issues its decision on the summary judgment motion; and

20 (2) Counsel for Plaintiffs will contact the Court on behalf of all the parties to confirm
21 the new date for the Further Conference.

22 IT IS SO STIPULATED.

23 Dated: March 25, 2008

Burton, Volkmann & Schmal, LLP

25 By: /s/ Timothy J. Schmal
Timothy J. Schmal

26 Attorneys for Defendant Mike Nelson,
27 individually and in his capacity as a police
28 officer for the City of Morgan Hill

1 Dated: March 25, 2008

Deputy Attorney General
Office Of The Attorney General
State of California

3 By: /s/ Troy B. Overton
4 Troy B. Overton

5 Attorneys for Defendants Charles Dangerfield,
6 Jason Lara and John Jefferson

7 Dated: March 25, 2008

Mayer Brown LLP

8 By: /s/ Aengus H. Carr
9 Aengus H. Carr

10 Attorneys for Plaintiffs Rita Baldwin and J.C.,
11 by and through his Guardian Ad Litem, Rita
Baldwin

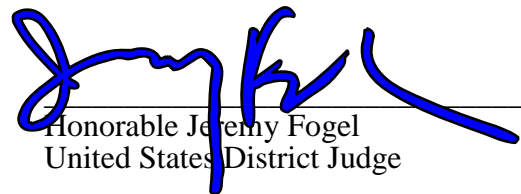
12 *Filer's Attestation: Pursuant to General Order No. 45, Section X(B), Aengus H. Carr hereby*
13 *attests that the signatories' concurrence in the filing of this document has been obtained.*

14 **PROPOSED ORDER**

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16 Pursuant to stipulation of the parties, the April 11, 2008 Further Case Management
17 Conference/Trial Setting is continued until two weeks after the Court issues its decision on the
18 parties cross-motions for summary judgment.

19 **IT IS SO ORDERED.**

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21 Date: 3/26/08

22 
Honorable Jeremy Fogel
United States District Judge